

U.S. Application No. 10/022,479– Filed: December 17, 2001
Amendment Dated: September 13, 2004
Reply to Office Action Dated: September 2, 2004

Amendments to the Claims:

The proposed listing of claims will replace all prior versions, and listings of claims in the application:

1. (**Withdrawn**) Digital image recording process in which a color toner image made of toner layers having different colors is transferred onto an image receiving substrate and then fused and fixed onto the image receiving substrate by impingement with electromagnetic radiation, characterized in that, in order to produce the color black at least one toner layer is used that has similar absorption properties, at least for one wavelength within a predetermined wavelength range for the electromagnetic radiation, as the other toner layers that are used.

2. (**Withdrawn**) Process according to claim 1, characterized in that, the predetermined wavelength range is the range from 0.8 μm to 10 μm .

3. (**Withdrawn**) Process according to claim 1, characterized in that, the predetermined wavelength range is selected such that the energy of the electromagnetic radiation is predominately absorbed by the image receiving substrate and not by the toner layers.

4. (**Withdrawn**) Process according to claim 1, characterized in that, the predetermined wavelength range is the range from 0.8 μm to 3 μm .

5. (**Withdrawn**) Process according to claim 1, characterized in that, the color black is produced by a combination of different colored toner layers.

6. (**Withdrawn**) Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that contains a combination of different colored color pigment particles.

U.S. Application No. 10/022,479– Filed: December 17, 2001
Amendment Dated: September 13, 2004
Reply to Office Action Dated: September 2, 2004

7. **(Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that is not pigmented with carbon black.

8. **(Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that contains a black pigment.

9. **(Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that has a carbon black portion of less than 2%.

10. **(Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that contains neutral gray pigments free of carbon black.

11. **(Withdrawn)** Device for performing the process of claim 1.

12. **(Currently Amended)** Toners, for a color printer and/or copier device, ~~whereby the where~~ a toner layer, having different color pigmented particles, ~~in a toner layer,~~ is suitable to produce the color or black and is provided for the purpose of being uniformly fused by electromagnetic radiation, and fixed onto an image receiving substrate, characterized in that, the ~~toner toners in a toner layer has have~~ absorption properties, during irradiation with electromagnetic radiation with a predetermined wavelength in the IR range below approximately 5 μm , so as to absorb less than 10% of the energy ~~as other toners in the toner layer that are provided to produce colors other than or black.~~

13. **(Cancelled)**

U.S. Application No. 10/022,479– Filed: December 17, 2001
Amendment Dated: September 13, 2004
Reply to Office Action Dated: September 2, 2004

14. **(Previously Presented)** Toner according to claim 12, characterized in that, the predetermined wavelength is the range from 0.8 μm to 3 μm .

15. **(Cancelled)**

16. **(Cancelled)**

17. **(Previously Presented)** Toner according to claim 12, characterized in that, the toner layer contains a combination of different colored particles that are provided to produce the colors cyan, magenta, and yellow.

18. **(Previously Presented)** Toner according to claim 12, characterized in that, the toner layer is not pigmented with carbon black.

19. **(Currently Amended)** Toner according to claim 12, characterized in that, the toner layer contains a portion of carbon black of less than 2% (~~by weight~~).

20. **(Previously Presented)** Toner according to claim 12, characterized in that, the toner layer contains neutral gray pigments.

21. **(Cancelled)**

22. **(Cancelled)**